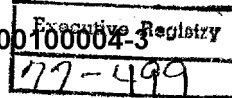


18 FEB 1977



MEMORANDUM FOR : Admiral Turner

FROM : Anthony A. Lapham
General Counsel

SUBJECT : Responsibilities of the DCI with Respect to
the Intelligence Community

1. This paper discusses the legal basis for the responsibilities of the DCI with respect to the intelligence community, including the Director's relationship with the intelligence elements of DoD.

2. The primary source of the Director's authority and responsibility is the National Security Act of 1947, which established the National Security Council, CIA and the position of DCI. (It also unified the three armed services and established the Department of Defense, at that time designated by the Act as the "National Military Establishment"). The Act does not specifically associate the DCI with Intelligence Community agencies or with DoD intelligence units, several of the current ones of course not being in existence at that time. But under the Act it is the duty of the Agency to correlate, evaluate and disseminate intelligence and the agencies in possession of intelligence relating to the national security are to make it available to the Director for correlation, evaluation and dissemination. The Act also charges the Director with responsibility for protecting intelligence sources and methods information from unauthorized disclosure, a responsibility which the Act does not confine to the Director's position as head of CIA.

3. Through the years, the secondary source of authority regulating the relationship of the DCI and the Intelligence Community agencies has been the various National Security Council Intelligence Directives. In addition, Executive Order 11905 gives the Director certain authorities with respect to the Intelligence Community agencies. See at Tab A a copy of section 3(d) of Executive Order 11905 prescribing the authorities of the Director and, at Tab B, a copy of section 2(b) establishing and prescribing the authority of the Committee on Foreign Intelligence, of which the Director is the chairman. However, an amendment to this provision of the Executive Order to bring it into line with certain decisions by President Carter, is in process.

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4: Existing National Security Council Directives have not been revised consistent with Executive Order 11905, although this step has been in process for some months. But under the NSCIDs, the Director is authorized to:

(a) plan, revise and evaluate intelligence activities and allocate reserves;

(b) produce national intelligence;

(c) establish intelligence requirements and priorities;


(d) issue directives in implementation of NSCIDs;

(e) survey departmental intelligence activities; and

(f) generally coordinate the activities of the intelligence community (see at Tab C a copy of paragraph 8 of NSCID 1).

5. Pursuant to section 3(d) of the Executive Order, the Director in May 1976 issued DCID 1/8 establishing the National Foreign Intelligence Board, chaired by the Director, with representatives from the Community as members, to assist the Director in coordinating the Community agencies. A copy of DCID 1/8 is attached at Tab D.


6. In addition, there are special arrangements for managing and coordinating various collection programs in which more than one agency has responsibility or in which the Director has a responsibility, in particular the SIGINT and overhead photographic activities programs.


Anthony A. Lapham

Attachments

OGC/RHL/bas

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14 February 1977

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MEMORANDUM FOR:

[REDACTED]
A/DCI

FROM: John H. Waller
Inspector General

SUBJECT: Suggestions for Opening Statement by
DCI-Designate in Confirmation Hearings

REFERENCE: A/DCI Memo entitled "Provisions of
Briefings and Materials for Admiral
Turner"

I would suggest that Admiral Turner, in his own words, say something along the lines of the following:

- Express support for a continuing strong Inspector General and General Counsel system to assure strict compliance with law, internal regulation and propriety; and to make certain, in the latter case, that the Agency carries out its functions and responsibilities in a way compatible with our society's ethical standards.

[REDACTED]
John H. Waller

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IG:JHWALLER:hj

[REDACTED] 14 February 1977

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07-264/1

FROM:

Anthony A. Lapham
General Counsel

EXTENSION

NO.

DATE _____

16 FEB 1977

TO: (Officer designation, room number, and building)

DATE _____

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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The attached for Admiral Turner is, I believe, the last paper due from us other than the one concerning administrative support for the IC Staff, which you and I have discussed and which we will get to you tomorrow. This paper derives from a memo, I assume from you, suggesting the desirability of a paper on the statutes and executive directives which regulate the Community.

Anthony A. Lapham

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